

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

**JOINTLY ADMINISTERED UNDER
CASE NO. 10-38652**

DUKE AND KING ACQUISITION CORP.,

Court File No. 10-38652

Debtors.

Court File Nos:

(includes:

Duke and King Missouri, LLC;
Duke and King Missouri Holdings, Inc.;
Duke and King Real Estate, LLC;
DK Florida Holdings, Inc.)

10-38653 (GFK)
10-38654 (GFK)
10-38655 (GFK)
10-38656 (GFK)

Chapter 11 Cases
Judge Gregory F. Kishel

ORDER RE: PROCEDURES FOR HEARING ON CONFIRMATION

At St. Paul, Minnesota
September 22, 2011.

On the proceedings at a status conference in these Chapter 11 cases, convened on
September 22, 2011,

IT IS HEREBY ORDERED:

1. If the United States Trustee files an objection to the confirmation of the plan proposed by the Debtors and the Unsecured Creditors' Committee, he is authorized and directed to make that filing under seal.

2. All respondents to the objection are authorized and directed to file their responses under seal.

3. For the hearing on confirmation, which shall convene as scheduled on
Monday, September 26, 2011:

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 09/22/2011 Lori Vosejpka, Clerk, By JRB, Deputy Clerk
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- a. The proponents may present the testimony of Becky Moldenhauer, as to the satisfaction of the elements of 11 U.S.C. § 1129(a), via unsworn declaration or affidavit. That document shall be filed (unsealed) as early as possible before the convening of the confirmation hearing. Ms. Moldenhauer shall be made available for cross-examination at the hearing.
- b. The proponents of the plan shall present all other testimonial evidence in support of confirmation by testimony in the courtroom.

4. The directives for sealing under Terms 1 and 2 are without prejudice to the right of any party to move to unseal the record. Further, all other filings and records in connection with confirmation shall be made initially without sealing, absent a directive from the court for sealing which will be made only on motion with appropriate notice.

BY THE COURT:

/s/ Gregory F. Kishel

GREGORY F. KISHEL
CHIEF UNITED STATES BANKRUPTCY JUDGE